

REMARKS/ARGUMENTS

This response is submitted in response to the Office Action dated February 13, 2007. Reconsideration and allowance is requested.

Claims 35-47 and 55-60 remain in this application. Claims 39-41, 46 and 47 were previously withdrawn.

Claim Rejection under 35 USC 112

In the Office Action, claims 55-60 were rejected under 35 USC 112, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner asserted that "available space" in claim 55 lines 10-11 was confusing and unclear. The Applicant has amended claim 55 to recite that "the features on the top surface are dimensionally taller than the space formed between the inside of the housing and the flat portion of the EMI shield when the housing is brought into contact with the EMI shield." The Applicant believes that in light of this amendment, claim 55 is clear and respectfully requests that the Examiner reconsider his rejection of this claim.

Claim Rejection under 35 USC 102

In the Office Action, claims 35-36, 38, 42-43, 45, 55, and 57-59 were rejected under 35 USC 102(e), as being anticipated by Ogawa et al. (US 6,683,245). In the previous response to Office Action dated December 21, 2006, the Applicant argued against the Examiner's rejection using Ogawa. However, the Examiner found the arguments not persuasive and rejected the claims for essentially the same reasons. The Applicant does not agree with the Examiner's rejection for the reasons argued in the previous response to office action. Nevertheless, in an effort to expedite prosecution, independent claims 35, 42, and 55 have been amended to further distinguish the claims from Ogawa.

Ogawa is directed at a housing 10a with an integrated EMI shield 18a. Ogawa's FIG. 3 and FIG. 4 clearly show that the EMI shield is integrated directly into the housing. Moreover, Ogawa's EMI shield 18a is formed everywhere along the inner side of the housing

10a. Specifically, Ogawa's teaches in column 3, lines 11-13 that "conductive coating 18a is further formed all over an inner surface of the upper case 10a."

In the claimed invention, the EMI shield is not integrated into the housing the same way it is in Ogawa. For example, in Ogawa the EMI shield is formed directly on the inner surface of the housing as a layer that conforms to the shape of the inner surface of the housing. However, in the claimed invention the (EMI) shield comprises "a top surface that includes a flat portion and one or more features that extend above the flat portion." Additionally, "the features on the top surface of the EMI shield contact an inner surface of the housing so as to compress the flange of the EMI shield against the grounding portion on the printed circuit board while the flat portion of the top surface does not contact the inner surface of the housing."

Ogawa clearly does not teach this type of EMI shield with these types of features. Unlike, Ogawa the claimed shield is not formed on the housing to conform to the inner surface of the housing. In the last office action, Examiner argued that "B," which the Examiner indicated was the top portion of the EMI shield in FIG. 3, included the claimed feature. It appears that the Examiner is equating the flat top surface of the EMI shield with the features, because FIG. 3 of Ogawa does not illustrate any other feature on the top surface of the EMI shield. Although the Applicant does not believe that these are the same features as previously claimed, the claims have been amended to further distinguish the features. For example the claims now describe an EMI shield having both a flat portion and one or more features that extend above the flat portion of the EMI shield. Also, the claims now describe that that the top portion of the EMI shield does not conform to the inner surface of the housing as Ogawa teaches because the features on the top surface of the EMI shield contact an inner surface of the housing while the flat portion of the top surface does not contact the inner surface of the housing. Ogawa does not teach or suggest this distinction. Moreover, Ogawa cannot be interpreted to teach this limitation because Ogawa's integrated housing and shield is fundamentally different than the claimed invention.

In light of these amendments and remarks, the Applicant believes that all of the claims are distinguishable over Ogawa and respectfully request that the Examiner reconsider her rejection.

Claim Rejection under 35 USC 103

In the Office Action, the Examiner rejected claims 37, 44 and 56 under 35 USC 103(a), as being unpatentable over Ogawa et al. (6,683,245) in view of Seidler (6,870,091).

Claim 60 was also rejected under 35 USC 103(a), as being unpatentable over Ogawa et al. (6,683,245) in view of King et al. (5,761,053). Although the Applicant does not agree with the Examiner's rejection for the reasons argued in the previous response to office action, independent claims 35, 42, and 55 have been amended to further distinguish the claims from the prior art used in this rejection. In light of these amendments and remarks, the Applicant believes that all of the claims are distinguishable over Ogawa in view of Seidler and over Ogawa in view of King and respectfully request that the Examiner reconsider her rejection.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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